

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK A . GUSTAFSON and  
SALWA ALI GUSTAFSON,

Defendants.

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8:06CR83

ORDER

This matter is before the court on the oral motion of defendants Mark A. Gustafson and Salwa Ali Gustafson for a continuance of the trial due to the unavailability of their counsel. The motion was made during a July 19, 2006, evidentiary hearing on the Gustafson's motion to dismiss Count I of the Indictment. The government had no objection to the motion. The Gustafsons acknowledged that the additional time would be excluded under the Speedy Trial Act.

The motion to continue is granted and trial of this matter is rescheduled before Senior Judge Lyle E. Strom and a jury commencing at **9:00 a.m. on November 13, 2006**. The additional **time** arising as a result of the granting of the request, i.e., the time between **July 19, 2006 and November 13, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**IT IS SO ORDERED.**

DATED this 19th day of July, 2006.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge